

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CARLO MOSONI,	:	
	:	
Petitioner,	:	
	:	21-cv-5638 (JSR)
-v-	:	
	:	<u>ORDER</u>
	:	
ANGIE LOUIE,	:	
	:	
Defendant.	:	
-----x	:	

JED S. RAKOFF, U.S.D.J.

On June 29, 2021, Petitioner Carlo Mosoni filed a verified petition for return of E.M. and O.M. (the Children) to Peru pursuant to the Convention on the Civil Aspects of International Child Abduction, done at the Hague on October 25, 1980, and the International Child Abduction Remedies Act (ICARA), 22 U.S.C. § 9001 et seq. ECF 1. On July 1, 2021, this Court entered an Order to Show Cause, ECF 5, and held a Show Cause Hearing on July 9, 2021. The Court has now considered the petition for return, the Preliminary Response to the Order to Show Cause, ECF 9, and the arguments presented by counsel at the Show Cause Hearing. Finding good cause, the Court hereby sets a three-day evidentiary hearing on the petition for return, to commence at 9 a.m. on Monday, August 16, 2021.

The Court has also considered Petitioner's requests for preliminary relief, pending resolution of petition for return on the merits. Pursuant to the Court's authority under ICARA to order any

necessary measures to protect the Children's well-being or to prevent further removal or concealment pending final disposition of the petition for return, see 22 U.S.C. § 9004(a), the Court orders the following preliminary relief:

- Respondent shall surrender to the Court any and all passports belonging to the Children, to be held for safe-keeping by the Clerk of Court pending resolution on the merits of the petition for return.
- Neither party shall remove or cause the removal of the Children from New York City, pending resolution on the merits of the petition for return.

The Court denies Petitioner's request for costs and expenses as premature. See 22 U.S.C. § 9007(b)(3).

SO ORDERED

Dated: New York, NY
July 9, 2021


JED S. RAKOFF, U.S.D.J.